

BEFORE: WILLIAM D. WALL

DATE: 12/13/06

UNITED STATES MAGISTRATE JUDGE

TIME: 11:00 AM

DOCKET NO. CV 04-2202

ASSIGNED JUDGE: HURLEY

CASE NAME: FIELD DAY, LLC, ET AL. V. COUNTY OF SUFFOLK, ET AL.

CIVIL CONFERENCE

Initial _____ Status _____ Settlement _____ Pretrial _____

Other: MOTION HEARING

APPEARANCES: Plaintiff B. Andrew Bednark

Peter Obstler

Defendant Phil Siegel(Riverhead)

Christopher Jeffreys(Suffolk et al)

Tom Sledjeski(Police Chief)

Non-party Jeffrey Rea (Michael Frisch)

SCHEDULING:

1. The next _____ conference will be held on _____.

THE FOLLOWING RULINGS WERE MADE:

1. Docket # 125, a Motion to Quash a non-party subpoena, is GRANTED, to the extent that the deposition of Mr. Frisch is quashed, no costs or fees are awarded.

2. Docket # 118 the County's Motion to Compel is GRANTED to the extent that all documents demanded by the defendants shall be produced subject to a confidentiality order. That portion of the motion dealing with depositions is DENIED as moot.

3. Docket # 120 Plaintiff's Motion to Compel is GRANTED. The County shall produce the previously demanded witnesses for deposition and provide all previously demanded documents no later than December 31, 2006.

4. Docket # 122 is GRANTED . The County shall produce a 30(b) (6) witness with knowledge, for deposition no later than December 31, 2006. The plaintiff is awarded the costs of this motion and all costs, including travel, in connection with the failed deposition of December 1, 2006. The plaintiff shall submit a detailed affidavit in support of the award of costs.

5. Docket # 127, Plaintiff's Motion to Compel is GRANTED. The county shall

produce a copy of all recordings and transcripts made by the County in connection with this matter. The plaintiff is awarded the costs of this motion and shall submit an affidavit to that effect.

The stipulation and proposed order dated December 12, 2006 is vacated. The parties shall submit a joint proposed amended scheduling order consistent with the court's rulings today.

The pretrial conference scheduled for March 8, 2007 is adjourned *sine die* pending Judge Hurley's decision on the Rule 56 Motions. The plaintiff shall contact this court upon receipt of Judge Hurley's decision.

s/ William D. Wall
WILLIAM D. WALL
United States Magistrate Judge